

REMARKS

This amendment is in response to the Non-Final Office Action dated March 5, 2009 (the "Office Action"). Claims 1-9, 11, 13-14, and 16-20 are pending in the application. Claims 10, 12, and 15 were previously cancelled without prejudice or disclaimer. Claims 1-9, 11, 14, and 16-20 have been amended. No new matter has been added. Support for the claim amendments can be found at least at paragraph [0041] of the application.

Claims 1-8 are Allowable

The Office has rejected claims 1-8, under 35 U.S.C. § 103(a), as being unpatentable over U.S. Published Application No. 2004/0119761 ("Grossman") in view of "Special Edition Using Microsoft Outlook 2000" ("Padwick") and further in view of U.S. Patent No. 7,315,613 ("Kleindienst"). Applicants respectfully traverse the rejections.

The cited portions of Grossman, Padwick, and Kleindienst do not disclose or suggest the specific combination of claim 1. For example, the cited portions of Grossman, Padwick, and Kleindienst fail to disclose or suggest that content associated with a selector is selectively presented audibly, as in claim 1.

In contrast to claim 1, Grossman discloses a graphical user interface (GUI) including an email address, a phone number, and one or more GUI elements such as hypertext links, buttons, and menu items. *See* Grossman, [0053], [0062]-[0063]. The cited portions of Grossman do not disclose or suggest that any of the GUI elements have associated content that is selectively presented audibly. Therefore, the cited portions of Grossman fail to disclose or suggest that content associated with a selector is selectively presented audibly, as in claim 1.

In further contrast to claim 1, Padwick discloses a selector that can be used to access an address book that includes a plurality of contact names and email addresses. *See* Padwick, pp. 6-7. The cited portions of Padwick do not disclose or suggest that the selector of Padwick has associated content that is selectively presented audibly. Therefore, the cited portions of Padwick fail to disclose or suggest that content associated with a selector is selectively presented audibly, as in claim 1.

In further contrast to claim 1, Kleindienst discloses the ability to send multiples types of messages, including SMS and e-mail. *See* Kleindienst, col. 12, lines 16-25. The cited portions

of Kleindienst fail to disclose or suggest that content associated with a selector is selectively presented audibly, as in claim 1.

Therefore, the cited portions of Grossman, Padwick, and Kleindienst, individually or in combination, fail to disclose or suggest at least one element of claim 1. Hence, claim 1 is allowable. Claims 2-8 are also allowable, at least by virtue of their dependence from claim 1.

Claims 11, 13-14, and 16-18 are Allowable

The Office has rejected claims 11, 13-14, and 16-18, under 35 U.S.C. § 103(a), as being unpatentable over Grossman in view of U.S. Published Application No. 2002/0160757 ("Shavit") and further in view of Kleindienst. Applicants respectfully traverse the rejections.

The cited portions of Grossman, Shavit, and Kleindienst do not disclose or suggest the specific combination of claim 11. For example, the cited portions of Grossman, Shavit, and Kleindienst fail to disclose or suggest that content associated with a first user-selectable item is selectively presented audibly, as in claim 11.

In contrast to claim 11, Grossman discloses a graphical user interface (GUI) including an email address, a phone number, and one or more GUI elements such as hypertext links, buttons, and menu items. *See* Grossman, [0053], [0062]-[0063]. The cited portions of Grossman do not disclose or suggest that any of the GUI elements have associated content that is selectively presented audibly. Therefore, the cited portions of Grossman fail to disclose or suggest that content associated with a first user-selectable item is selectively presented audibly, as in claim 11.

In further contrast to claim 11, Shavit discloses a contacts database that is compatible with multiple message delivery strategies (e.g., recipient-based, time-of-day-based, and priority-based). *See* Shavit, [0034], [0036]-[0039]. The cited portions of Shavit fail to disclose or suggest that content associated with a first user-selectable item is selectively presented audibly, as in claim 11.

In further contrast to claim 11, Kleindienst discloses the ability to send multiples types of messages, including SMS and e-mail. *See* Kleindienst, col. 12, lines 16-25. The cited portions of Kleindienst fail to disclose or suggest that content associated with a first user-selectable item is selectively presented audibly, as in claim 11.

Therefore, the cited portions of Grossman, Shavit, and Kleindienst, individually or in combination, fail to disclose or suggest at least one element of claim 11. Hence, claim 11 is allowable. Claims 13-14 and 16-18 are also allowable, at least by virtue of their dependence from claim 11.

Claim 20 is Allowable

The Office has rejected claim 20, under 35 U.S.C. § 103(a), as being unpatentable over Grossman in view of Shavit and further in view of Kleindienst. Applicants respectfully traverse the rejection.

The cited portions of Grossman, Shavit, and Kleindienst do not disclose or suggest the specific combination of claim 20. For example, the cited portions of Grossman, Shavit, and Kleindienst fail to disclose or suggest that content associated with a first user-selectable button is selectively presented audibly, as in claim 20.

In contrast to claim 20, Grossman discloses a graphical user interface (GUI) including an email address, a phone number, and one or more GUI elements such as hypertext links, buttons, and menu items. *See* Grossman, [0053], [0062]-[0063]. The cited portions of Grossman do not disclose or suggest that any of the GUI elements have associated content that is selectively presented audibly. Therefore, the cited portions of Grossman fail to disclose or suggest that content associated with a first user-selectable button is selectively presented audibly, as in claim 20.

In further contrast to claim 20, Shavit discloses a contacts database that is compatible with multiple message delivery strategies (e.g., recipient-based, time-of-day-based, and priority-based). *See* Shavit, [0034], [0036]-[0039]. The cited portions of Shavit fail to disclose or suggest that content associated with a first user-selectable button is selectively presented audibly, as in claim 20.

In further contrast to claim 20, Kleindienst discloses the ability to send multiples types of messages, including SMS and e-mail. *See* Kleindienst, col. 12, lines 16-25. The cited portions of Kleindienst fail to disclose or suggest that content associated with a first user-selectable button is selectively presented audibly, as in claim 20.

Therefore, the cited portions of Grossman, Shavit, and Kleindienst, individually or in combination, fail to disclose or suggest at least one element of claim 20. Hence, claim 20 is allowable.

Claim 9 is Allowable

The Office has rejected claim 9, under 35 U.S.C. §103(a), as being unpatentable over Grossman in view of Padwick, Kleindienst, and U.S. Patent No. 6,014,135 ("Fernandes"). Applicants respectfully traverse the rejection.

Claim 9 depends from claim 1. As explained above, the cited portions of Grossman, Padwick, and Kleindienst fail to disclose or suggest at least one element of claim 1. The cited portions of Fernandes fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of Grossman, Padwick, and Kleindienst. For example, the cited portions of Fernandes fail to disclose or suggest that content associated with a selector is selectively presented audibly, as in claim 1. In contrast to claim 1, Fernandes describes converting e-mail messages to facsimile format when a user is in a location where only facsimile can be received. *See* Fernandes, col. 13, lines 45-53. Therefore, the cited portions of Grossman, Padwick, Kleindienst, and Fernandes, individually or in combination, do not disclose or suggest at least one element of claim 1, from which claim 9 depends. Hence, claim 9 is allowable, at least by virtue of its dependence from claim 1.

Claim 19 is Allowable

The Office has rejected claim 19, under 35 U.S.C. §103(a), as being unpatentable over Grossman in view of Shavit, Kleindienst, and Fernandes. Applicants respectfully traverse the rejection.

Claim 19 depends from claim 11. As explained above, the cited portions of Grossman, Shavit, and Kleindienst fail to disclose or suggest at least one element of claim 11. The cited portions of Fernandes fail to disclose or suggest the elements of claim 11 not disclosed or suggested by the cited portions of Grossman, Shavit, and Kleindienst. For example, the cited portions of Fernandes fail to disclose or suggest that content associated with a first user-selectable item is selectively presented audibly, as in claim 11. In contrast to claim 11, Fernandes describes converting e-mail messages to facsimile format when a user is in a location

where only facsimile can be received. *See* Fernandes, col. 13, lines 45-53. Therefore, the cited portions of Grossman, Padwick, Kleindienst, and Fernandes, individually or in combination, do not disclose or suggest at least one element of claim 11, from which claim 19 depends. Hence, claim 19 is allowable, at least by virtue of its dependence from claim 11.

CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the references as applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.


Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the cited art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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Date


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